

UNITED STATES COURT OF APPEALS FOR THE TENTH CIRCUIT

Byron White United States Courthouse
1823 Stout Street
Denver, Colorado 80257
(303) 844-3157
Clerk@ca10.uscourts.gov

Christopher M. Wolpert
Clerk of Court

Jane K. Castro
Chief Deputy Clerk

September 25, 2025

Grant Gardner
Jackson Kemper Dering
U.S. Department of Justice
200 North Church Street
Las Cruces, NM 88001

RE: 25-2109, United States v. Toirov
Dist/Ag docket: 2:25-CR-01801-SMD-1

Dear Counsel:

The court has received and docketed your appeal. Please note your case number above. Copies of the Tenth Circuit Rules, effective January 1, 2024, and the Federal Rules of Appellate Procedure, effective December 1, 2023, may be obtained by contacting this office or by visiting our website at <http://www.ca10.uscourts.gov>. In addition, please note all counsel are required to file pleadings via the court's Electronic Case Filing (ECF) system. *See* 10th Cir. R. 25.3. You will find information regarding registering for and using ECF on the court's website. We invite you to contact us with any questions you may have about our operating procedures. Please note that all court forms are now available on the court's web site.

Since this is a bail appeal, Fed. R. App. P. 9 and 10th Cir. R. 9 must be followed carefully.

Attorneys must complete and file an entry of appearance form within 14 days of the date of this letter. *See* 10th Cir. R. 46.1(A). Pro se parties must complete and file the form within thirty days of the date of this letter. An attorney who fails to enter an appearance within that time frame will be removed from the service list for this case, and there may be other ramifications under the rules. If an appellee does not wish to participate in the appeal, a notice of non-participation should be filed via ECF as soon as possible. The notice should also indicate whether counsel wishes to continue receiving notice or service of orders issued in the case.

In addition, all counselled entities that are required to file a Federal Rule of Appellate Procedure 26.1 disclosure statement must do so **within 14 days of the date of this letter**. All parties must refer to Federal Rule of Appellate Procedure 26.1 and Tenth Circuit Rule 26.1 for applicable disclosure requirements. All parties required to file a disclosure

statement must do so even if there is nothing to disclose. Rule 26.1 disclosure statements must be promptly updated as necessary to keep them current.

No docketing statement need be filed.

Within 14 days after filing the notice of appeal or motion for release, the party seeking relief must file:

A. a memorandum brief containing:

1. a statement of facts necessary for an understanding of the issues presented;
2. the grounds for relief, including citation to relevant authorities; and
3. a statement of the defendant's custodial status and reporting date as relevant -- the court must be notified of any change in custody status pending the review process; and

B. an appendix containing:

1. the district court's docket entries;
2. all release orders or rulings, together with the reasons (findings and conclusions) given by the magistrate judge or the district judge for the action taken;
3. any motion filed in the district court on the issue of release, and relevant memoranda in support or opposition;
4. transcripts of any relevant proceeding if the factual basis for the action taken is questioned;
5. the judgment of conviction, if review is sought under Fed. R. App. P. 9(b); and
6. other relevant papers, affidavits, or portions of the district court record.

Please note that the memorandum brief and appendix must be filed with the court via its Electronic Case Filing system (ECF). Paper copies of the brief and appendix are not required.

Within 14 days after the Rule 9.2 memorandum is filed, the opposing party must file a response or notify the court that a response will not be filed. The matter will be considered at issue after the opposing party has been given reasonable notice and an opportunity to respond.

Please contact this office if you have questions.

Sincerely,



Christopher M. Wolpert
Clerk of Court

cc: Darren Robinson
Amanda Skinner

CMW/jm